

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2011-138856-001 DT

06/19/2017

HON. SAM J. MYERS

CLERK OF THE COURT

E. Gonzales

Deputy

STATE OF ARIZONA

JEANNETTE GALLAGHER

JAY ROBERT RADEMACHER

v.

JOHN MICHAEL ALLEN (001)

GARY B BEREN

ROBERT E REINHARDT

CAPITAL CASE MANAGER

JUDGE SANDERS

MINUTE ENTRY

8:31 a.m.

Courtroom SCT 5A

State's Attorney: Jeannette Gallagher

Defendant's Attorney: Gary Beren and

Defendant: Present

Court Reporter, Laurie Yazwa, is present.

A record of the proceedings is also made digitally.

This the time set for Oral Argument on Defendant's Motion to Continue Trial, filed June 2, 2017.

Oral argument is presented.

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IT IS ORDERED affirming Pretrial Conference set for June 20, 2017 at 8:30 a.m. before Judge Teresa Sanders.

LAST DAY: DECEMBER 4, 2017

IT IS ORDERED taking this matter under advisement.

8:42 a.m. Matter concludes.

LATER:

Following a hearing, the Court took under advisement the Defendant's Motion to Continue Trial filed June 2, 2017. The State filed an objection to the motion. The Court has considered the briefing on the motion, the arguments of counsel, the victim's position, and the record in this matter.

Defendant indicates that mitigation witnesses need to be relocated and re-served with out of state subpoenas. Although the State argues that the witnesses will not be permitted to testify, there is no order precluding the identified witnesses. As a result, the Court finds good cause exists to continue the trial based upon Defendant's need to secure the attendance of these witnesses.

IT IS ORDERED granting the motion to continue trial with exclusion of time.

IT IS ORDERED vacating the current trial date and resetting same to October 9, 2017 at 10:30 a.m., and setting a Final Trial Management Conference on September 15, 2017 at 9:00 a.m. before Judge Otis.

The Court finds that extraordinary circumstances exist and that a delay is indispensable to the interests of justice, and will order that time be excluded between August 7, 2017 and October 9, 2017 (63 days).

NEW LAST DAY: FEBRUARY 5, 2018